

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

CLAAS FINANCIAL SERVICES LLC,

*

PLAINTIFF/JUDGMENT CREDITOR,

*

v.

*

CASE No.: 7:17-CV-00486

JUSTICE FARMS OF NORTH CAROLINA, LLC,

*

DEFENDANT/JUDGMENT DEBTOR.

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* * * * *

ORDER FOR PAYMENT

Upon consideration of *Plaintiff's Consent Motion to Condemn Garnished Property* (the "Motion") filed by plaintiff/judgment creditor CLAAS Financial Services LLC ("CLAAS"), defendant/judgment debtor Justice Farms of North Carolina, LLC having consented to the relief requested in the Motion and the relief requested in the Motion otherwise appearing appropriate under the circumstances, the Court:

FINDS, that Garnishee BB&T, Branch Banking and Trust Company of Virginia responded to the *Garnishment Summons* served upon it by filing a letter [Dkt. 81] with the Court stating that it holds funds totaling \$3,325.84; and further

FINDS, that Garnishee Smithfield Foods, Inc. responded to the *Garnishment Summons* served upon it by remitting two checks totaling \$53,851.98 to the Court, which checks the Court sent to Friedberg PC, counsel for CLAAS, and which Friedberg PC deposited in its trust account.

Accordingly, it is hereby:

ORDERED, that the Motion is **GRANTED**; and it is further

ORDERED, that CLAAS shall recover from Garnishee BB&T, Branch Banking and Trust Company of Virginia the sum of \$3,325.84, plus any amount that has come into the hands of Garnishee BB&T, Branch Banking and Trust Company of Virginia after service of the *Garnishment Summons* and before entry of this Order, but in no event more than the amount of the Judgment described in the Motion; and it is further

ORDERED, that Garnishee BB&T, Branch Banking and Trust Company of Virginia shall pay and deliver the sum of \$3,325.84 to counsel for CLAAS, Jeremy S. Friedberg and Gordon S. Young of Friedberg PC, within ten (10) days of the date of entry of this Order for credit on the Judgment described in the Motion; and it is further

ORDERED, that CLAAS shall recover from Garnishee Smithfield Foods, Inc. the sum of \$53,851.98, plus any amount that has come into the hands of Garnishee Smithfield Foods, Inc. after service of the *Garnishment Summons* and before entry of this Order, but in no event more than the amount of the Judgment described in the Motion; and it is further

ORDERED, that Friedberg PC is authorized to pay and deliver to CLAAS from Friedberg PC's trust account the sum of \$53,851.98, which funds Friedberg PC received from the Court, within ten (10) days of the date of entry of this Order for credit on the Judgment described in the Motion.

Entered: March 28, 2019

Robert S. Ballou

**Robert S. Ballou
United States Magistrate Judge**